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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/715,453	11/17/2000	James M. Dunn	6169-134	5681
40987	7590	10/06/2006	EXAMINER	
AKERMAN SENTERFITT P. O. BOX 3188 WEST PALM BEACH, FL 33402-3188			DOAN, DUYEN MY	
			ART UNIT	PAPER NUMBER

2152

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/715,453	DUNN ET AL.	
	Examiner	Art Unit	
	Duyen M. Doan	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 June 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8, 10, 11, 13-25, 32-39, 41, 42, 44-52 and 59 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10, 11, 13-25, 32-39, 41, 42, 44-52 and 59 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

***This office action is in response to the submission filed on 6/21/06. Claims 1-8,10,11,13-25,32-39,41,42,44-52 are amended for examination. Claims 9,12,26,40,43 are cancelled. Claims 27-31,53-58 were previous withdrawn. Claim 59 is newly added.***

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2,7-8,14-20,22,32-33,38-39,45-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferguson (us 2002/0178232) (hereinafter Fer) in view of Garrity et al (us pat 6,745,237) (hereinafter Gar) and further in view of Millier et al (us pat 5,899,995) (hereinafter Mill).

As regarding claims 1,22,32 Fer discloses presenting hypermedia content, said hypermedia content containing hyperlinks to additional hypermedia content (see Fer abstract, pg.1-2, par 0006); responsive to a user selecting at least one of said hyperlinks, storing user selected ones of said hyperlinks in a delayed viewing list (see

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Fer abstract, pg.1-2, par 0006); caching hypermedia content associated with said stored hyperlinks during said presenting step if no resource-constrained condition exists (see Fer abstract, pg.1-2, par 0006), wherein the hypermedia content is presented to the user during said receiving and caching steps (see Fer abstract, pg.1-2, par 0006);

Fer does not disclose analyzing data storage resources of the system and at least one of processing resources of the system and transmission bandwidth of a network connection of the system to determine if at least one resource-constrained condition exists; delaying caching hypermedia content associated with said stored hyperlinks as long as at least one resource-constrained condition exists; organizing cached hypermedia content into a series of topic folders corresponding to different topics; and storing delayed viewing list entries in said series of topic folder, wherein each entry is stored in a topic folder containing associated hypermedia content.

Gar teaches analyzing data storage resources of the system and at least one of processing resources of the system and transmission bandwidth of a network connection of the system to determine if at least one resource-constrained condition exists (see Gar col.6, lines 33-67; col.9, lines 44-67); delaying caching hypermedia content associated with said stored hyperlinks as long as at least one resource-constrained condition exists (see Gar col.6, lines 33-67; col.9, lines 44-67, processing the content if there is enough resource, it is obvious to one with ordinary skill in the art that if there is not enough resource, the process has to wait or cancel. Delay the process if there is not enough resource is the matter of implementation).

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It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Gar to the method of Fer to analyzing resource and determine if resource constraint exist because by doing so would improve the data transfer between the source to the target in the communication system (see Gar col.1, lines 9-15).

The combination of Fer and Gar does not disclose organizing hypermedia content into a series of topic folders corresponding to different topics; and storing delayed viewing list entries in said series of topic folder, wherein each entry is stored in a topic folder containing associated hypermedia content.

Mill teaches organizing hypermedia content into a series of topic folders corresponding to different topics; and storing entries in said series of topic folder, wherein each entry is stored in a topic folder containing associated hypermedia content (see col.2, lines 6-17; col.3, lines 36-67; col.6, lines 1-18).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Mill to the method of Fer-Gar to organizing content into a series of topic folders corresponding to different topics because by organizing content into a series of topic folders corresponding to different topics would save time in retrieving content (see Mill col.1, lines 14-67).

As regarding claims 2 and 33, Fer-Gar-Mill discloses the invention substantially as rejected in including reconfiguring said stored hyperlinks to point to said cached hypermedia content (see Fer pg.1-2, par 0006, this is inherent, as cache get filled up

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with content retrieved prior to viewing, the link that is to be activated by the client would then be pointing to the cache for efficient retrieval).

As regarding claims 7 and 38, Fer-Gar-Mill discloses caching step comprises caching hypermedia content in a local cache communicatively linked to said content browser (Ferguson, [0006]) and disposed within a client executing the content browser (Ferguson, [0006]).

As regarding claims 8 and 39, Fer-Gar-Mill discloses caching hypermedia content in a proxy cache where downloading said further hypermedia content to a local cache (see Fer pg.1-2, par 0006) can constrain at least one of data storage resources of the system, processing resources of the system, and transmission bandwidth of a network connection (see Gar col.6, lines 33-67; col.9, lines 44-67).

As regarding claims 14 and 45, Fer-Gar-Mill discloses associating expiration data with each hyperlink in said delayed viewing list (Ferguson, [0167], expiration data is the oldest data file); purging hyperlinks from said delayed viewing list based on said expiration data (Ferguson, par [0167], oldest link gets deleted first).

As regarding claims 15,17,46,48, are rejected for the same rationales as rejected claim 14.

As regarding claims 16 and 47, Fer-Gar-Mill discloses including manually managing selected hyperlinks in said delayed viewing list (see Fer par [0167]).

As regarding claims 18 and 49, Fer-Gar-Mill discloses selecting hyperlinks in said delayed viewing list (Ferguson, [0006]); and presenting cached hypermedia

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content associated with said selected hyperlink (Ferguson, [0006], wherein the cached local contents are displayed to the user).

As regarding claims 19 and 50, Fer-Gar-Mill discloses including selecting hyperlinks in said delayed viewing list (Ferguson, [0006]); and adding said selected hyperlinks to a list of bookmarks in a content browser (Ferguson, par [0206]).

As regarding claims 20 and 51, Fer-Gar-Mill discloses manually managing said cached hypermedia content (Ferguson, [0167]).

Claims 5, 6, 21, 24, 25, 36, 37, and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferguson-Garrity-Millier, as applied in claims 1, 22, and 32 above, in view of Mighdoll et al. (Us pat 5,918,013) (hereinafter Mighdoll).

As regarding claims 5 and 36, Fer-Gar-Mill discloses the invention substantially as rejected in claim 1 above, including, wherein said content is presented in an uninterrupted manner during said receiving, storing, and caching steps (Ferguson, [0006], wherein these processes occur in the background and does not interfere with other processes occurring in the system. Furthermore, it should be noted that even multimedia contents, files/videos are still files that's being transferred from point A to point B).

However, Fer-Gar-Mill does not explicitly teach displaying audiovisual television content combined with hypermedia content in a television set, said audio visual content

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comprising a video stream, wherein said video stream is presented in an uninterrupted manner during said receiving storing and caching steps.

Mighdoll teaches wherein said presenting step comprises displaying audiovisual television content combined with hypermedia content in a television set (Mighdoll, Col. 4, lines 15-25).

It would have been obvious to the person of ordinary skill in the art at the time of the invention to incorporate teachings of Mighdoll with Fer-Gar-Mill because the combination would result in expanding the computing capabilities from a computer to form of a television system.

As regarding claims 6 and 37, Ferguson-Garrity-Millier-Mighdoll discloses caching hypermedia content in a server remotely located from and communicatively linked to said content browser (Mighdoll, Col. 13, lines 46-60, wherein the local resources are limited, and proxy cache is to cache as much information as it can handle to alleviate the load on the local client). The same motivation was utilized in claims 5,36 applied equally well to claims 6,37.

As regarding claims 21 and 52, Ferguson-Garrity-Millier-Mighdoll discloses determining if a selected hyperlink is associated with hypermedia content having a limited lifetime; if it is determined that a selected hyperlink is associated with hypermedia content having a limited lifetime, identifying further hypermedia content necessary for viewing said hypermedia content having a limited lifetime, and downloading said hypermedia content having a limited lifetime and said necessary



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further hypermedia content (Mighdoll, Col. 11, line 50 - Col. 12, line 25). The same motivation was utilized in claims 5,36 applied equally well to claims 21,52.

As regarding claim 24, the limitation is similar to limitation of rejected claim 5 above, therefor rejected for the same rationale as claim 5.

As regarding claim 25, Ferguson-Garrity-Millier-Mighdoll discloses the hypermedia content presentation system of claim 22, wherein said content cache is a proxy cache communicatively linked to said content browser (Mighdoll, Col. 13, lines 46-60). The same motivation was utilized in claims 5,36 applied equally well to claim 25.

Claims 10-11,13,41-42,44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferguson-Garrity-Millier, as applied in claims 1 and 32 above, in view of Helfman (Us pat 6,119,135).

As regarding claims 10 and 41, Fer-Gar-Mill discloses the invention substantially as rejected in claim 1 and 32 above, but does not explicitly teach configuring a page depth to which said hyperlinks in said hypermedia content associated with said stored hyperlinks can be followed; downloading said hypermedia content associated with said stored hyperlinks, said downloaded hypermedia content containing additional hyperlinks to further hypermedia documents; further downloading said further hypermedia documents, said further hypermedia documents containing further hyperlinks to even further hypermedia documents; repeating said further downloading step until reaching said configured page depth.

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In a similar system, Helfman teaches the concept of configuring a page depth and the extent to which a downloading of further hyperlinks is followed (Helfman, Col. 6, lines 43-52).

It would have been obvious to one of ordinary skill in this art at the time of invention was made to incorporate Helfman with the teaching of Fer-Gar-Mill because the combination would improve the latency for Fer-Gar-Mill's system by retrieving link contents at a set level prior to the actual access of the said web content, thus decreasing the retrieval time.

As regarding claims 11 and 42, Fer-Gar-Mill-Helfman discloses hyperlinks to point to associated hypermedia documents stored in said cache (Ferguson, this is inherent, as cache get filled up with content retrieved prior to viewing, the link that is to be activated by the client would then be pointing to the cache for efficient retrieval, this is suggested in [0006]).

As regarding claims 13 and 44, Fer-Gar-Mill-Helfman discloses including comprising adapting said cached hypermedia content for full text searching in a full text search engine (Helfman, Col. 6, lines 5-15). The same motivation was utilized in claim 10,41 applied equally well to claim 13,44.

Claims 3, 4, 23, 34, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fer-Gar-Mill, in view what was well known in the art (hereinafter WellKnown).

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As per claims 3 and 34, Fer-Gar-Mill discloses the invention substantially as rejected in claim 1 above, including said presenting step comprises displaying Web content in a Web browser, said Web content containing hyperlinks to additional Web content (Ferguson, [0006]). Ferguson does not explicitly teach said user selection being responsive to a right click mouse event on the selected hyperlink. Official Notice is taken (see MPEP 2144.03) right mouse event on hyperlink selection is well known and routinely used webpage event and access purposes at the time of the invention was made.

It would have been obvious to one of ordinary skill in the art to include right mouse click event with Fer-Gar-Mill in order to access the appropriate menus and commands for storing action.

As regarding claim 23, the claim is rejected for the same reasons as rejection to claim 3 above.

As regarding claim 4 and 35, Fer-Gar-Mill -WellKnown teaches the method of claim 3, wherein said presenting step further comprises playing back multimedia content in a multimedia content player (Ferguson, [0206]).

Claim 59 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ferguson (us 2002/0178232) (hereinafter Fer) in view of Garrity et al (us pat 6,745,237) (hereinafter Gar).

As regarding claim 59 Fer discloses presenting hypermedia content, said hypermedia content containing hyperlinks to additional hypermedia content (see Fer abstract, pg.1-2, par 0006); receiving a user selection of at least one of said hyperlinks; responsive to a user selecting at least one of said hyperlinks, storing user selected ones of said hyperlinks in a delayed viewing list (see Fer abstract, pg.1-2, par 0006); caching hypermedia content associated with said stored hyperlinks during said presenting step if no resource-constrained condition exists, wherein the hypermedia content is presented to the user during said receiving and caching steps (see Fer abstract, pg.1-2, par 0006).

Fer does not disclose analyzing data storage resources of the system and at least one of processing resources of the system and transmission bandwidth of a network connection of the system to determine if at least one resource-constrained condition exists; delaying caching hypermedia content associated with said stored hyperlinks as long as one resource constrain condition exist.

Gar teaches analyzing data storage resources of the system and at least one of processing resources of the system and transmission bandwidth of a network connection of the system to determine if at least one resource-constrained condition exists (see Gar col.6, lines 33-67; col.9, lines 44-67); delaying caching hypermedia content associated with said stored hyperlinks as long as at least one resource-constrained condition exists (see Gar col.6, lines 33-67; col.9, lines 44-67, processing the content if there is enough resource, it is obvious to one with ordinary skill in the art

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that if there is not enough resource, the process has to wait or cancel. Delay the process if there is not enough resource is the matter of implementation).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Gar to the method of Fer to analyzing resource and determine if resource constraint exist because by doing so would improve the data transfer between the source to the target in the communication system (see Gar col.1, lines 9-15).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-8,10,11,13-25,32-39,41,42,44-52 and 59 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

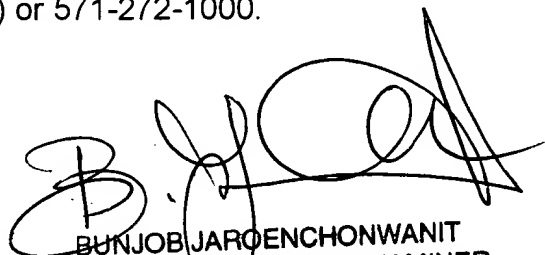
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duyen M. Doan whose telephone number is (571) 272-4226. The examiner can normally be reached on 9:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob A. Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Examiner  
Duyen Doan  
Art unit 2152



BUNJOB JAROENCHONWANIT  
SUPERVISORY PATENT EXAMINER